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Vol. 187 Page 19050

Filed for Record at Request of

Return:

Metropolitan Mortgage &
Securities Co., Inc.
P. O. Box 2162
Spokane, WA 99210

K-39941

DEED AND SELLER'S ASSIGNMENT OF REAL ESTATE CONTRACT

The Grantors, MARVIN L. TUTOR and CYNTHIA S. TUTOR, husband and wife, as to an undivided 75.94% interest for value received conveys and warrants to METROPOLITAN MORTGAGE & SECURITIES CO., INC., d/b/a METROPOLITAN FINANCIAL SERVICES, INC., a corporation, the Grantee, the following described real estate, situated in the County of Klamath, State of Oregon, including any interest therein which Grantor may hereafter acquire:

Lots 11, 12 and 13 in Block 5 of LENOX, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

and does hereby assign, transfer and set over to the Grantee that certain real estate contract dated the 2nd day of August, 1985, between MYRON A. HANNAGAN and ELAINE HANNAGAN, husband and wife, and MARVIN L. TUTOR and CYNTHIA S. TUTOR, husband and wife, as sellers and DUANE G. FOUSIE and DONNA F. FOUSIE, husband and wife, as purchasers, for the sale and purchase of the above described real estate. Grantor further hereby assigns, transfers and sets over to the Grantee all their right, title and interest in and to that certain Conditional Sales Contract and Security Agreement dated August 2, 1985 by and between MYRON A. HANNAGAN and ELAINE HANNAGAN, husband and wife and MARVIN L. TUTOR and CYNTHIA S. TUTOR, husband and wife, as Secured Party and DUANE G. FOUSIE and DONNA F. FOUSIE, husband and wife, as purchaser. The Grantee hereby assumes and agrees to fulfill the conditions of said real estate contract as to conveyance of title and payment of prior encumbrances, if any, only. The Grantee assumes no obligations on the real estate contract other than to hold title in trust and give a deed upon payment of contract price. The Grantor hereby covenants that there is now unpaid on the principal of said contract the sum of One Hundred Twenty Seven Thousand Eight Hundred Thirteen Dollars and 23/100 approximately.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$30,319.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration.

"This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulation, before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses."

Dated this 15th day of October, 1987.

Marvin L. Tutor
MARVIN L. TUTOR

Cynthia S. Tutor
CYNTHIA S. TUTOR

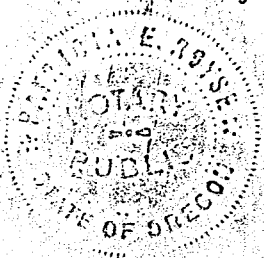
87 OCT 22 AM 11 42

STATE OF OREGON)
) ss.
County of ~~Klamath~~
 Jackson

19051

On this day personally appeared before me Marvin L. Tuter and Cynthia S. Tuter, to me known to be the individuals in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 17th day of October, 1987.



Patricia F. Layan
Notary Public in and for the State of

Oregon

residing at Medford

My Commission expires 9-23-88

STATE OF OREGON, ss.
County of Klamath

Filed for record at request of:

Klamath County Title Company

on this 22nd day of October A.D., 19 87
at 11:42 o'clock A M. and duly recorded
in Vol. M87 of Deeds Page 19050

Evelyn Biehn, County Clerk

By Pat Smith

Deputy.

Fee, \$15.00